AF
CASE LA0061 NP**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Burton Rodney
Type or print name

Burton Rodney
Signature

October 12, 2004
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1614

LI ET AL:

Examiner: Brian Yong S. Kwon

APPLICATION NO: 10/023,533

FILED: DECEMBER 17, 2001

FOR: ANTIDIABETIC FORMULATION AND METHOD

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Office Action dated July 14, 2004 finally rejecting claims 1-3 and 11-16.

- ☒ Please charge Deposit Account No. 19-3880 in the name of Bristol-Myers Squibb Company in the amount of \$340 for payment of the appeal fee. An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 19-3880 in the name of Bristol-Myers Squibb Company.
- ☐ The appeal fee was paid in a previous appeal herein. The examiner re-opened prosecution prior to any decision by the Board of Patent Appeals and Interferences. No fee is now due.

10/15/2004 CCHAU1 00000085 193880 10023533

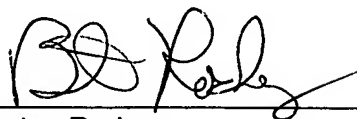
01 FC:1401 340.00 DA

**23914**

PATENT TRADEMARK OFFICE

☐ Enclosed is a Petition for Extension of Time.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Burton Rodney", is written over a horizontal line.

Burton Rodney
Attorney for Applicants
Reg. No. 22,076

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
(609) 252-4336
Date: October 12, 2004